UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA, as subrogee and assignee of THE ROCKEFELLER FOUNDATION,

Plaintiff.

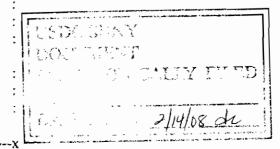
- against -

CHERYL McEWAN, ANTHONY McEWAN, FRANK MELLI, PAUL SHUSTERMAN, LISA BAKER and LACHO TERRAZAS,

Defendants.

Index No.: 07 CIV 7515 (BST)

NOTICE OF **VOLUNTARY** DISMISSAL



SIRS.

Pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, Plaintiff National Union Fire Insurance Company of Pittsburgh, PA, as subrogee and assignee of The Rockefeller Foundation ("National Union"), by its attorneys McElroy, Deutsch, Mulvaney & Carpenter, LLP, voluntarily dismisses the complaint and amended complaint as against defendant Lisa Baker:

Dated: February 13, 2008 New York, NY

Respectfully,

MCELROY, DEUTSCH, MULVANEY & CARPENTER, LLP

Richard S. Mills (RM 0206) Brian W. Keatts (BK2000) Attorneys for Plaintiff 88 Pine Street, 24th Floor New York, NY 10005 (212) 483-9490